UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/818,771	03/14/1997	MOJTABA MIRASHRAFI	002784.P001	9980

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EXAMINER
NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
2665	

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)	
Office Action Summary	08/818,771	⊕	MIRASHRAFI ET AL.	
	Examiner		Art Unit	
	Steven HD Nguyen		2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 September 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-9,11,13-19,21-25,29,30,33-39,42 and 43* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-9,11,13-19,21-25,29,30,33-39,42 and 43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 9/7/04 has been entered.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-4, 11, 13, 16-19, 21, 24, 29-30, 33-35, 39 and 42-43 are rejected under 35

U.S.C. 102(e) as being anticipated by Radziewicz (USP 5854897).

As claims 1, 33-35, 39 and 42-43, Radziewicz discloses receiving by said bridge server

(Fig 1, Ref 16) from a client system 14 a request for content targeting a network server 12, and

determining by said bridge server, based on said received request and not on the requested

content, additional content other than the requested content to be provided to the client system by

the network server; and providing by said bridge server said determined additional content or an

identifier of said additional content to said client system (See claims 1 or 28 wherein the NPS is

a means plus function for performing the claimed invention which is disclosed in the

specification such intercepting a request packet from the client to a target and using the IP

address, URL to identified the addition content such as telephone number etc from a database of

announcement server for transmitting to the client with the requested information) See col. 4,

lines 49-57, col. 6, lines 56-64, col. 7, lines 18-54, col. 12, lines 1-55 and col. 14, lines 20 to col.

15, lines 59).

As claim 2, Radziewicz discloses additional content comprises additional information

regarding said network server to said client system (See claims 1 and 28; See col. 4, lines 49-57,

col. 6, lines 56-64, col. 7, lines 18-54, col. 12, lines 1-55 and col. 14, lines 20 to col. 15, lines

59).

As claim 3, Radziewicz discloses said providing comprises providing by said bridge

server said additional content to said client system without altering the substance of the requested

content to be provided by said network server (See claim 6 or 7).

As claim 4, Radziewicz discloses determining comprises checking by said bridge server

whether additional content corresponding to said network server exists (See claims 1 and 28, the

NSP checks the announcement server for addition information; col. 7, lines 18-54,).

As claim 11, Radziewicz discloses the identifier of the additional content comprises a

Uniform Resource Locator (URL) corresponding to the additional content (See claim 23).

As claim 13, Radziewicz discloses marking the received request by the bridge server and

returning by the bridge server to the client system, the marked version of the received requested

for re-submission by the client system (As claim 12, the announcement window includes a

marked version for allowing the client to resubmitted; See col. 12, lines 23-45).

As claims 16-18, Radziewicz discloses said providing comprises returning by the bridge server a Hyper Text Markup Language (HTML) page to the client system, wherein the HTML page includes a marked version of the request for resubmission by the client system; said providing comprises returning by said bridge server a Hypertext Markup Language (HTML) page to the client system, wherein the HTML page includes said identifier of the additional content for the client system to retrieve the additional content; providing comprises returning a Hypertext Markup Language (HTML) page to the client system, wherein the HTML page includes the additional content (As claim 12, the announcement window includes a marked version for allowing the client to resubmitted; See col. 12, lines 23-45).

As claim 19, Radziewicz discloses bridge server comprising control logic operative to receive a request for content from a client system targeting a network server, and to check, based on said received request and not on the requested content, whether additional content is to be provided to the client system, in addition to the requested content to be provided to the client system by the network server; and content-adding logic, coupled to the control logic, operative to provide the additional content or an identifier of said additional content to the client system if the additional content is to be provided (See claims 1 or 28 wherein the NPS is a means plus function for performing the claimed invention which is disclosed in the specification such intercepting a request packet from the client to a target and using the IP address, URL to identified the addition content such as telephone number etc from a database of announcement server for transmitting to the client with the requested information; See col. 4, lines 49-57, col. 6, lines 56-64, col. 7, lines 18-54, col. 12, lines 1-55 and col. 14, lines 20 to col. 15, lines 59).

As claim 21, Radziewicz discloses the identifier comprises a Uniform Resource Locators (See claim 23).

As claims 24 and 29-30, Radziewicz discloses receiving by the bridge server a request for content from a client system targeting a network server; and marking up by the bridge server the received request and returning the marked up request to the client system for re-submission and means for transmitting another request for additional content, upon receipt of an identifier of the additional content from said bridge server provided in response to the first transmission of the request (See claims 1 or 28 wherein the NPS is a means plus function for performing the claimed invention which is disclosed in the specification such intercepting a request packet from the client to a target and using the IP address, URL to identified the addition content in the markup form from a database of announcement server for transmitting to the client for resubmitted; See col. 4, lines 49-57, col. 6, lines 56-64, col. 7, lines 18-54, col. 12, lines 1-55 and col. 14, lines 20 to col. 15, lines 59 and Fig 8).

4.   Claims 24 and 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Hudetz (USP 5978773).

Hudetz discloses in Fig 1, a client 22 including means for transmitting a request that targets the server 20 to a service provider 22 "bridge server" and means for retransmitting the marked up request after receiving a mark up form which marked up by a bridge server 22 for receiving additional information (Fig 6) See col. 9, lines 5-22;

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 6-9, 22 and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over

anticipated by Radziewicz in view Rondeau (USP 5850433).

As claims 6-9, 22 and 36-38, Radziewicz discloses addition information is telephone

number for allowing the client to make a phone call later or web page with the hyper links.

However, Radziewicz does not disclose said additional content comprises an option for making a

telephone call. In the same field of endeavor, Rondeau discloses a system for allowing a client

to make a telephone call between a computer and convention telephone without terminating the

connection and dialing the telephone number; said option for making a telephone call is an

option allowing a user of the client computer system to make the telephone call without having

to provide the destination telephone number by the user; said option for making a telephone call

is an option allowing a user of the client system to make the telephone call without terminating a

current network communication session of the client system; automatically establishing and

facilitating a voice call to a PSTN handset in response to a user of the client system selecting the

additional content (See Abstract and the database server returned the marked request to client for

resubmitting the requested such as making a telephone call).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply a method of returning the marked request in the form of embedded

a telephone number into a button to allow the user to contact the customer's representative as

taught by Rondeau into the Radziewicz' method. The motivation would have been to allow the

customer interactive to a customer representative right away, if the customer does not satisfy

with a detail description on the web page.

7.   Claims 14-15, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over

anticipated by Radziewicz/Hudetz in view Gabber (USP 5961593).

As claims 14-15, 23 and 25, Radziewicz or Hudetz do not disclose the claimed invention.

However, in the same field of endeavor, Garber discloses receiving by the bridge server, the

marked version of the request re-submitted by the client system; removing by the bridge server,

the marking from the re-submitted request; and forwarding the request to the network server and

the marked version of the request comprises a Uniform Resource Locator (URL) corresponding

to the request, appended with additional characters identifying the bridge server as the marking

bridge server (Fig 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply a method of removing the mark up requests before forwarding the

request to target server as taught by Garber's method into the method and apparatus of

Hudetz/Radziewicz. The suggestion/motivation would have been to reduce the cost of consumer

access fees.

8.   Claims 1, 2, 4, 19, 21, 33, 34, 35, 39 and 42-43 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Herz (USP 5754938) in view of Vance (USP 5822539).

Herz discloses a bridge server "proxy server, S2" for receiving a request for content of a

target server "Server S4" which is not targeting the bridge server; determining by said bridge

server based on the received request, additional content other than the requested content to be

provided to the client system by the network server (col. 39, lines 64 to col. 4, lines 36 wherein

the addition information is belong to the retrieved information of a server 4). Herz does not

disclose a step of determining addition content based on URL of target server. In the same field

of endeavor, Vance discloses Vance discloses a object of online service being treated as URL of

target server (See col. 4, lines 43-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention was made to apply a step of determining if addition content based on URL of the

targeting server as disclosed Vance into Herz's system. The motivation would have been to

reduce the delay time and improve the throughput of a server.

9.   Claims 3, 11, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Herz and Vance as applied to claims 1, 19 and 33 above, and further in view of Van Hoff (USP

5822539).

Herz and Vance do not fully disclose the claimed invention. However, in the same field

of endeavor, Van Hoff discloses a step of determining if any addition contents are associated

with the remote information server, then selecting an addition content to relay to the user (Fig 2,

Ref 120 for determining if any documents are related to the requested information, if yes,

selecting the addition information for merging into the document from the server 104); a step of

sending an additional content without altering from requested information (It's implicitly shown

by Van Hoff because Van Hoff does not disclose a step of altering As claim 3); an addition

information comprising hyperlink to identify the additional content information; information

being mark or tag by hyperlink such as URL to allow the user to retrieve the addition

information (See Fig 4; As claim 11, 17-18 and 21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention was made to apply a step of determining if addition content is required for the

requested before receiving the content information from the targeting server as disclosed Van

Hoff's method and system into the system of Herz and Vance. The motivation would have been

to reduce the delay time and improve the throughput of a server.

10.   Claims 11, 13 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Herz and Vance as applied to claims 1, 19 and 33 above, and further in view of Hudetz

(USP 5978773).

Herz and Vance do not fully disclose the claimed invention. However, in the same field

of endeavor, Hudetz discloses in Fig 1, a client 22 including means for transmitting a request that

targets the server 20 to a service provider 22 "bridge server" and means for retransmitting the

marked up request after receiving a mark up form which marked up by a bridge server 22 for

receiving additional information (Fig 6) See col. 9, lines 5-22;

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention was made to provide a client with a markup page in order to allow client to access the

server as disclosed by Hudetz into Vance and Herz. The motivation would have been to reduce

the delay time and improve the throughput of a server.

11.   Claims 6-9, 22 and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Herz and Vance as applied to claims 1, 19 and 33 above, and further in view of Rondeau

(USP 5850433).

Herz and Vance fail to disclose the claim invention. However, in the same field of

endeavor, Rondeau discloses the additional content information comprising an option to make a

phone call by allowing a user to click on the icon (Fig 2, Ref 54) to make a phone call via the

network to a PSTN handset (Fig 1, Ref 22) and the addition content such as telephone number

must be marked by the access server for returning to the user in a form such as icon or button.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply a database server which includes a telephone icon as disclosed by

Rondeau into a server's Herz and Vance. The motivation would have been to reduce the amount

of time required to place a telephone to one of provider.

12.   Claims 14-15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Herz, Hudetz and Vance as applied to claims 1, 19 and 33 above, and further in view Gabber

(USP 5961593).

Herz, Hudetz and Vance do not disclose the claimed invention. However, Garber

discloses the marked version of the request comprises a Uniform Resource Locator (URL)

corresponding to the request, appended with additional characters identifying the bridge server as

the marking bridge server and receiving by the bridge server, the marked version of the request

re-submitted by the client system; removing by the bridge server, the marking from the

re-submitted request; and forwarding the request to the network server (Fig 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply a method of adding a tag to the mark up requests before forwarding

to client as taught by Garber's method into the method and apparatus of Herz and Van Hoff. The

suggestion/motivation would have been to reduce the cost of consumer access fees.

Response to Arguments

13.   Applicant's arguments filed 9/7/04 have been fully considered but they are not

persuasive.

In response to page 2, the applicant states that the claimed invention of Radziewicz does

not discloses a method and system for determining announcement information based on the

address of the targeted server such as computer 12 of Radziewicz. In reply, Radziewicz

discloses an announcement server will select information from database to be transmitted to the

client computer 14 based on the IP or URL of computer 12; See col. 7, lines 18-54 as stated in

claims 1, 19 and 33.

In response to page 3, the applicant states Radziewicz does not disclose a bridge server

for markup a request from the client to target server and return the markup to client for

resubmitting. In reply, Radziewicz discloses a network access provider providing web access

page to the client which includes the input box 74 and 81. the client uses an input box 81 to send

a request for accessing a target server, the network service provider will transmitting a web page

with a markup request to the client in order to allow the client to click on hyperlink (Fig 8c and

col. 21, lines 5-24) as stated in claims 24 and 29.

In response to pages 4-5, the applicant states that Hudetz does not disclose a bridge server for markup a request from the client to target server and return the markup to client for resubmitting. In reply, Hudetz discloses a client computer for sending a request message for targeting a network server (the client 12 send a request for access a remote host 24 by using UPC for querying its URL), the service provider intercepting the requested message and reply a markup requested message that includes UPC and URL so that the user can resubmitting the request again (See Fig 6), so the return message form the service provider is the same message which the client transmitted to access the remote server as stated in claims 24 and 29.

In response to page 5, the applicant states that Hertz or Vance does not disclose the additional content being determined by the network server identifier. In reply, Herz discloses a method and system for providing addition information and information from the requested server wherein the addition information is provided by the requested target object of server S4 and Vance discloses that an object of the server can be identifier via extension to URL or as resource identifiable in according with URL (See col. 4, lines 43-62). Therefore, it would have been obvious to one of ordinary skill in the art to replace the target object of server with URL of the server in order to retrieve the additional content as stated in the claims 1, 19 and 33.
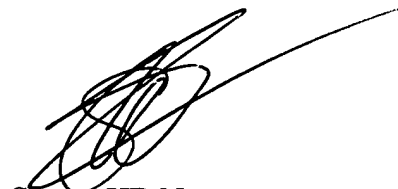
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Huy D Vu can be reached on (571) 272-3155. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven HD Nguyen
Primary Examiner
Art Unit 2665
1/3/05